



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Ex Parte Dietrich, et al.

Serial No.: 09/626,946

Group Art Unit: 3624

Filed: July 27, 2000

Examiner: Akers, G.

For: METHOD FOR DETERMINING THE SET OF WINNING BIDS IN A  
COMBINATORIAL AUCTION

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Commissioner for Patents  
Alexandria, VA 22313

JAN 23 2004

GROUP 3600

APPELLANTS' SUPPLEMENTAL BRIEF ON APPEAL

Sir:

On August 13, 2003, Appellants timely filed an Appeal Brief for the final rejection of claims 1-20 in the Office Action dated February 13, 2003. A Notice of Appeal was timely filed on June 13, 2003.

In the Office Action, dated November 24, 2003, the Examiner reopened prosecution.

Appellants consider that, to one of ordinary skill in the art, the newly cited references are not relevant to the present invention and that prosecution would not be advanced by responding to this Office Action. Therefore, Appellants have petitioned under 37 C.F.R. §1.181 to reinstate the appeal.

The contents of the Appeal Brief, filed August 13, 2003, are unchanged by the Examiner's reopening of prosecution and the arguments therein do not require any updates.

In view of these arguments in the Appeal Brief, filed August 13, 2003, Appellants submit that claims 1-20, all the claims presently pending in the application, are sufficiently enabled and are clearly and patentably distinct from the prior art of record and in condition

Appellants' Supplemental Brief on Appeal  
S/N: 09/626,946

for allowance. Thus, the Board is respectfully requested to remove all rejections of claims 1-20.

Please charge any deficiencies and/or credit any overpayments necessary to enter this paper to Assignee's Deposit Account number 50-0510.

Respectfully submitted,



Dated: 1/20/04

Frederick E. Cooperrider

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